

05/25/01

1044 U.S. PTO

CERTIFICATE OF MAILING

Date: May 25, 2001

Express Mailing Label No.: EL801565500US

I hereby certify that on the dated listed above, this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service in accordance with 37 C.F.R. § 1.10 as "Express Mail Post Office to Addressee," with sufficient postage in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, DC 20231.

Trudi Thompson
Trudi Thompson

JC978 U.S. PTO
09/865242
05/25/01

PATENT TRANSMITTAL

Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of inventor:

Anthony L. Fitzhugh
Piewen Cheng
Robert Cafferata
Marc Hendriks
Larry K. Keefer
Eugene Tedeschi
Michel L.P.M. Verhoeven

For: NITRIC OXIDE-RELEASING METALLIC MEDICAL DEVICES

1. Type of Application

This new application is for a(n)

- ☒ Original (non provisional)
☐ Design
☐ Plant
☐ Divisional
☐ Continuation

2. Benefit of Prior U.S. Application(s) (35 USC 119(e), 120, or 121)

- ☐ The new application being transmitted claims the benefit of prior U.S. application serial number 09/567579 filed May 10, 2000.

3. Papers Enclosed

A. Required for filing date under 37 CFR § 1.53(b)(Regular) or 37 CFR § 1.153 (Design Application)

22 pages of specification
3 pages of claims
3 sheets of drawings (do not submit original drawings)

(completed the following, if applicable)

☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 CFR 1.84(b).

B. Other Papers Enclosed

5 Pages of declaration and oath (informal)
1 Pages of abstract

09/865242 05/25/01

4. Assignment

- ☐ An assignment of the invention to _____
☐ is attached. A separate ☐ "COVERSHEET FOR ASSIGNMENT (DOCUMENT)
 ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.
☐ will follow.

5. Fee Calculation

A ☒ Regular application

CLAIMS AS FILED

Number filed	Number Extra	Rate	Basic Fee 37 CFR § 1.16(a)
			\$710.00
Total Claims (37 CFR § 1.16(c))	14 - 20=0	x \$18.00=	
Independent Claims (37 CFR § 1.16(b))	4 - 3=0	1 x \$80.00=	80.00
Multiple dependent claims(s), if any (37 CFR § 1.16(d))		+ \$270.00=	0.00

- ☐ An amendment canceling extra claims is enclosed.
☐ An amendment deleting multiple-dependencies is enclosed.
☐ The fee for extra claims is not being paid at this time

Filing Fee Calculation

\$ 790.00

B. ☐ Design application (\$330-37 CFR§1.16(f))

\$

C. ☐ Plant application (\$540-37 CFR§1.16(g))

\$

6. Small Entity Statement(s)

- ☐ Statement(s) that this is a filing by a small entity under 37 CFR §§ 1.9 and 1.27 are attached.
(completed the following if applicable)
☐ Status as a small entity was claimed in prior application Serial No. 0 / _____, filed on
 _____, from which benefit is being claimed for this application under:

35USC § ☐ 119(e)
☐ 120
☐ 121
☐ 365(c)

and which status as a small entity is still proper and desired.

- ☐ A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B, or C above)

\$ 790.00

7. Fee Payment Being Made at Time

☐ Not Enclosed☐ No filing fee is to be paid at this time.☒ Enclosed☒ Filing Fee

\$ 790.00

☐ Recording Assignment (\$40.00)

\$

☐ Petition fee for filing by other than all the inventors or person on
 behalf of the inventor where inventor refused to sign or cannot be
 reached

(\$130.00 - 37 CFR §§ 1.47 and 1.17(j))

\$

☐ For processing an application with a specification in a non-
 English language

(\$130.00; 37 CFR 1.53(d) and 1.21(k))

\$

☐ Processing and retention fee

(\$130.00; 37 CFR 1.53(d) and 1.21(l))

\$

☐ Fee for international-type search report

(\$40.00; 37 CFR 1.21(e))

\$

Total fees enclosed

\$ 790.00

8. **Method of Payment or Fees**

- ☒ Check in the amount of \$ 790.00 is enclosed.
☐ charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate of this transmittal is attached.

9. **Authorization to Charge Additional Fees**

(If no fees are to be paid on filing, the following items should not be completed)

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 16-2230.
☒ 37 CFR §§1.16(a), (f), or (g) (Filing fees)
☒ 37 CFR §§1.16(b), (c), and (d) (presentation of extra claims)
☒ 37 CFR §§1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
☒ 37 CFR §§1.17(a)(1)-(5) (extension fees pursuant to §1.136(a))
☒ 37 CFR §§1.17 (application processing fees)
☐ 37 CFR §§1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR §1.1311(b))

10. **Instructions as to Overpayment**

- ☒ Credit Account No. 16-2230
☐ Refund

Respectfully submitted,



Louis C. Cullman
Registration No. 39,645

Dated: May 25, 2001

OPPENHEIMER WOLFF & DONNELLY, LLP
840 Newport Center Drive, Suite 700
Newport Beach, CA 92660
Telephone: (949) 823-6000
Facsimile: (949) 823-6100